PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95–13–01 Airbus Industrie: Amendment 39–9281. Docket 94–NM–148–AD.

Applicability: Model A320 series airplanes; manufacturer's serial numbers 002 through 008 inclusive, 010 through 014 inclusive, 016 through 078 inclusive, 088 through 122 inclusive, 124 through 179 inclusive, 183 through 194 inclusive, 196 through 228 inclusive, 230 through 251 inclusive, and 253 through 255 inclusive; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (d) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent separation of the passenger seats from the seat track during an emergency landing, accomplish the following:

(a) Within 450 flight cycles after the effective date of this AD, perform a visual inspection to determine if a seat fitting having an x-plunger behind a z-stud is installed at the seat track joint at frame 64, in accordance with Airbus All Operator Telex (AOT) 53–01, dated August 27, 1992.

(b) If such a seat fitting is installed, prior to further flight, measure the gap between the forward and aft seat tracks at frame 64, in accordance with the Airbus AOT 53–01, dated August 27, 1992.

(1) If the gap is less than or equal to 2.8 mm, prior to further flight, apply sealing material at the seat tracks, in accordance with the AOT.

(2) If the gap is greater than 2.8 mm, prior to further flight, accomplish the requirements of either paragraph (b)(2)(i) or (b)(2)(ii) of this AD, as applicable.

(i) For airplanes equipped with passenger seats at frame 64: Accomplish either paragraph (b)(2)(i)(A) or (b)(2)(i)(B) of this AD:

(A) Remove or reposition the seat in accordance with Airbus AOT 53–01, dated August 27, 1992. Thereafter, repeat the removal or repositioning whenever the cabin configuration is changed until the accomplishment of paragraph (c) of this AD. Or

(B) Modify the seat tracks in accordance with Airbus Service Bulletin A320–53–1088, Revision 3, dated March 27, 1994. Such modification constitutes terminating action for the requirements of this AD.

Note 2: Modification of the seat tracks prior to the effective date of this amendment in accordance with Airbus Service Bulletin A320–53–1088, original issue through Revision 2, is considered acceptable for compliance with the applicable actions specified in this paragraph.

(ii) For airplanes equipped with equipment other than passenger seats at frame 64: Prior to further flight, correct the discrepancy in accordance with a method approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(c) Within 30 months after the effective date of this AD, modify the seat tracks, in accordance with Airbus Service Bulletin A320–53–1088, Revision 3, dated March 27, 1994. Accomplishment of this modification constitutes terminating action for the requirements of this AD.

Note 3: Modification of the seat tracks prior to the effective date of this amendment in accordance with Airbus Service Bulletin A320–53–1088, original issue through Revision 2, is considered acceptable for compliance with the applicable actions specified in this paragraph.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) The actions shall be done in accordance with All Operators Telex 53–01, dated August 27, 1992, or Airbus Service Bulletin A320–53–1088, Revision 3, dated March 27, 1994; as applicable. Revision 3 of Airbus Service Bulletin A320–53–1088 contains the following list of effective pages:

Page No.	Revision level shown on page	Date shown on page
1, 4–6, 12, 13, 17, 29, 30, 45, 46, 53, 61, 62, 77, 78, 86, 93, 94, 102, 109, 110, 118, 125, 132, 139, 149, 153, 164.	3	March 27, 1994.
2, 13A, 13B, 14, 17A, 17B, 18.	2	November 22, 1993.
3, 8, 11, 15, 16, 19, 20, 21–28, 31–44, 47–52, 54–60, 63–76, 79–85, 87–92, 95–101, 103–108, 111–117, 119–124, 126–131, 133–138, 140–148, 150–152, 154–163.	Original	May 10, 1993.
7, 9, 10, 19A, 20A. .	1	August 16, 1993.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on July 24, 1995.

Issued in Renton, Washington, on June 12, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–14769 Filed 6–22–95; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 39

[Docket No. 94–NM–181–AD; Amendment 39–9278; AD 95–12–25]

Airworthiness Directives; McDonnell Douglas Model DC–9, DC–9–80, and C–9 (Military) Series Airplanes, and Model MD–88 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 (military) series airplanes, and Model MD–88 airplanes. This amendment requires an inspection to detect chafing

on the FIREX pipe assembly of the number one engine; and either repair of chafed pipe assemblies or replacement of the chafed pipe assemblies with new pipe assemblies; and modification of the FIREX and the pneumatic sense pipe assembly clamp marriage. This amendment is prompted by reports of incidents in which the pneumatic sense pipe chafed against the FIREX supply pipe of the number one engine. The actions specified by this AD are intended to prevent the chafing of the FIREX supply pipe, which could result in a hole in the pipe and subsequently prevent the proper distribution of the fire extinguishing agent within the nacelle in the event of a fire.

DATES: Effective July 24, 1995.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 24, 1995.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Baitoo, Aerospace Engineer, Propulsion Branch, ANM–140L, FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (310) 627–5245; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–9, DC–9–80, and C–9 (military) series airplanes, and Model MD–88 airplanes was published in the **Federal Register** on December 8, 1994 (59 FR 63275). That action proposed to require inspection to detect chafing on the FIREX pipe assembly of the number one engine; and either replacement of the chafed pipe assemblies with new pipe assemblies and modification of the FIREX and the pneumatic sense pipe assembly clamp marriage, or repair of the chafed pipe assemblies.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

One commenter supports the proposed rule.

Two commenters request that the compliance time for accomplishment of the inspection be extended from the proposed 8 months to 12 months. This will allow the inspection to be accomplished during the time of a regularly scheduled ''C'' check. One commenter considers that adoption of the proposed compliance time of 8 months would result in an additional expense to operators to schedule special times for the accomplishment of this inspection. The FAA does not concur with the commenters' request to extend the compliance time for the inspection requirements. In developing an appropriate compliance time for this action, the FAA considered the safety implications, parts availability, and normal maintenance schedules for timely accomplishment of the inspection. In consideration of these items, as well as the several reports of chafing of the FIREX supply pipe assembly found on in-service airplanes, the FAA has determined that 8 months represents the maximum interval of time allowable wherein the inspection can reasonably be accomplished and an acceptable level of safety can be maintained. However, paragraph (b) of the final rule does provide affected operators the opportunity to apply for an adjustment of the compliance time if data are presented to justify such an adjustment.

One commenter states that paragraph (a)(1) of the proposed rule seems to offer an option of not modifying the clamping configuration if repair is needed. The commenter requests that paragraph (a)(1) be changed to read, ''* * * either replace the chafed pipe assemblies with new pipe assemblies or repair chafed pipe assemblies; and modify the FIREX * * *'' for clarification purposes. The FAA concurs. Further review of McDonnell Douglas Service Bulletin 26–25, which is referenced in the final rule as the appropriate source of service information, indicates that the repair procedures [described in paragraph 2.C.(2) of the service bulletin] include modification of the clamping configuration. Therefore, the modification is part of the repair, and is not optional. The FAA has revised paragraph (a)(1) of the final rule to clarify this modification requirement accordingly. Since this revision just clarifies a requirement of the rule, the FAA finds that it does not pose an increased burden on any operator.

One commenter requests that Model DC–9 series airplanes that are not equipped with a ventral stair be excluded from the applicability of the proposed rule. The commenter states that these airplanes do not have a pipe assembly having part number P/N 7914299–521 or 7914299–524; these pipe assemblies are referenced in Revision 1 of the service bulletin that is cited in the proposal as the appropriate source of service information. The FAA concurs. Since issuance of the proposal, the FAA has reviewed and approved Revision 2 of McDonnell Douglas DC–9 Service Bulletin 26–25, dated April 18, 1995. The procedures described in Revision 2 are identical to those described in Revision 1 , but include minor editorial changes. However, Revision 2 revises the effectivity listing of the service bulletin by removing 544 non-ventral stair Model DC–9 series airplanes. Accordingly, the applicability of the final rule has been revised to include only those airplanes listed in Revision 2 of the service bulletin. Additionally, the economic impact information, below, has been revised to reduce the total cost impact by the amount of costs applicable to the 544 airplanes that have been deleted from the applicability of the final rule. Further, the final rule has been revised to reference Revision 2 of the service bulletin as an additional source of service information.

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 1,410 Model DC–9, DC–9–80, and C–9 (military) series airplanes, and Model MD–88 airplanes of the affected design in the worldwide fleet. The FAA estimates that 553 airplanes of U.S. registry will be affected by this AD, that it will take approximately 1 work hour per airplane to accomplish the required actions, and that the average labor rate is $60 per work hour. The cost of required parts will be nominal. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $33,180, or $60 per airplane.

The total cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish

those actions in the future if this AD were not adopted.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

95–12–25 McDonnell Douglas: Amendment 39–9278. Docket 94–NM–181–AD.

Applicability: Model DC–9–10, –20, –30, –40, and –50 series airplanes; Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), and DC–9–87 (MD–87) series airplanes; Model MD–88 airplanes; and Model C–9 (Military) series airplanes; as listed in McDonnell Douglas DC–9 Service Bulletin 26–25, Revision 2, dated April 18, 1995; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

Compliance: Required as indicated, unless accomplished previously.

To prevent the chafing of a hole in the FIREX supply pipe of the number one engine, which could prevent the proper distribution of the fire extinguishing agent within the nacelle in the event of a fire, accomplish the following:

(a) Within 8 months after the effective date of this AD, perform an inspection to detect chafing of the FIREX pipe assembly of the number one engine, in accordance with McDonnell Douglas DC–9 Service Bulletin 26–25, Revision 1, dated September 30, 1994, or Revision 2, dated April 18, 1995.

(1) If any chafing is detected, prior to further flight, accomplish paragraph (a)(1) and (a)(2) of this AD in accordance with the service bulletin. Where there are differences between the requirements of this AD and the procedures specified in the service bulletin, the AD prevails.

(i) Either repair chafed pipe assemblies or replace the chafed pipe assemblies with new or serviceable pipe assemblies. And

(ii) Modify the FIREX and the pneumatic sense pipe assembly clamp marriage.

(2) If no chafing is detected, prior to further flight, modify the FIREX and the pneumatic sense pipe assembly clamp marriage in accordance with the service bulletin.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The inspection, replacement, modification, and repair shall be done in accordance with McDonnell Douglas DC–9 Service Bulletin 26–25, Revision 1, dated September 30, 1994, or McDonnell Douglas DC–9 Service Bulletin 26–25, Revision 2, dated April 18, 1995. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from McDonnell Douglas Corporation, P.O. Box 1771, Long Beach, California 90801–1771, Attention: Business Unit Manager, Technical Administrative Support, Dept. L51, M.C. 2–98. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment becomes effective on July 24, 1995.

Issued in Renton, Washington, on June 9, 1995.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 95–14630 Filed 6–22–95; 8:45 am]

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14 CFR Part 39

[Docket No. 95–ANE–18; Amendment 39–9282; AD 95–08–10]

Airworthiness Directives; Teledyne Continental Motors (TCM) Model TSIO–360 and LTSIO–360 Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule, request for comments.

SUMMARY: This document publishes in the **Federal Register** Airworthiness Directive (AD) 95–08–10 that was sent previously to all known U.S. owners and operators of Teledyne Continental Motors (TCM) Model TSIO–360 E, EB, F, FB, G, GB, KB, LB, MB, and Model LTSIO–360 E, EB, and KB reciprocating engines by individual letters. This AD requires replacement of the suspect turbocharger check valves prior to further flight, and prohibits special flight permits. This amendment is prompted by three reported engine failures caused by incorrectly assembled turbocharger oil outlet check valves, resulting in an improperly expanded rivet that held the check valve flapper assembly together as one unit. The actions specified by this AD are intended to prevent complete engine failure due to an incorrectly assembled turbocharger oil outlet check valve.

DATES: Effective July 10, 1995, to all persons except those persons to whom it was made immediately effective by